



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jorge L. Gardea-Torresdey et al.

Serial No.: 10/732,927

Filed: December 10, 2003

For: THE PREPARATION OF METAL
NANOPARTICLES IN PLANTS

Group Art Unit: 1645

Examiner: Unknown

Atty. Dkt. No.: UTSE:103US

09/20/2004 HAL111 00000048 10732927

04 FC:2254

740.00 OP

CERTIFICATE OF MAILING
37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

September 14, 2004

Date

Steven L. Highlander

**REQUEST FOR EXTENSION OF TIME TO RESPOND TO
NOTICE TO FILE MISSING PARTS DATED MARCH 18, 2004**

MS MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

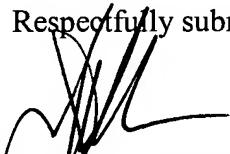
Sir:

Pursuant to 37 C.F.R. § 1.136(a), Applicants petition for an extension of time of four months to and including September 18, 2004 in which to respond to the Notice to File Missing Parts dated March 18, 2004.

Pursuant to 37 C.F.R. § 1.17, a check in the amount of \$1217.00 is enclosed, which includes the process fee (\$740.00) for a four month extension of time.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/UTSE:103US.

Respectfully submitted,


Steven L. Highlander
Reg. No. 37,642
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: September 14, 2004



FULBRIGHT & JAWORSKI L.L.P.

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September 14, 2004

CERTIFICATE OF MAILING
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September 14, 2004

Date

Steven L. Highlander

MS MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/732,927 entitled "THE PREPARATION OF METAL NANOPARTICLES IN PLANTS" – Jorge L. Gardea-Torresdey et al.*
Our reference: UTSE:103US

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed March 18, 2004;
- (2) Three Declarations;
- (3) Power of Attorney;
- (4) Substitute Drawings, Figures 1-16 on 16 pages;
- (5) Request for Extension of Time;
- (6) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (7) Check in the amount of \$1217.00; and

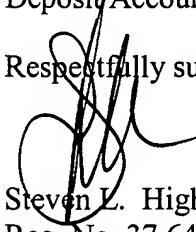
25389186.1

Commissioner for Patents
September 14, 2004
Page 2

(8) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included, the Commissioner is authorized to deduct or credit the appropriate fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/UTSE:103US.

Respectfully submitted,


Steven L. Highlander
Reg. No. 37,642

SLH/mar
Encl: as noted



PATENT
Customer ID: 32425

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jorge L. Gardea-Torresdey *et al.*

Serial No.: 10/732,927

Filed: December 10, 2003

For: THE PREPARATION OF METAL
NANOPARTICLES IN PLANTS

Group Art Unit: 1645

Examiner: Unknown

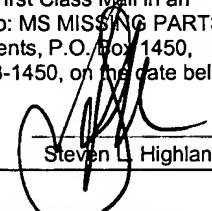
Atty. Dkt. No.: UTSE:103US

CERTIFICATE OF MAILING
37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

September 14, 2004

Date


Steven L. Highlander

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 CFR 1.53(B)**

MS MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b), dated March 18, 2004, enclosed are:

- (a) Three Declarations executed on behalf of Jorge L. Gardea-Torresdey, Jason G. Parsons, Jose R. Peralta-Videa, Eduardo Gomez, and Miguel Jose-Yacaman;
- (b) A Power of Attorney on behalf of Board of Regents, The University of Texas System;

- (c) Our check in the amount of \$1217.00 to cover the basic filing fee (\$385.00 - utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$27.00); four month extension of time fee (\$740.00);
- (d) A copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b); and
- (e) A Request for Extension of Time of four months to and including September 18, 2004. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

An Assignment to Board of Regents, The University of Texas System and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/UTSE:103US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

Steven L. Highlander

Reg. No. 37,642

Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: September 14, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

Page 1 of 2 *SPW*

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/732,927	12/10/2003	Jorge L. Gardea-Torresdey	UTSE:103US

FULBRIGHT & JAWORSKI L. L. P.
SUITE 2400
600 CONGRESS AVENUE
AUSTIN, TX 78701-3271

CONFIRMATION NO. 7368
FORMALITIES LETTER



OC000000012124797

Date Mailed: 03/18/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/20/2004 HAL11 00000048 10732927 **FILED UNDER 37 CFR 1.53(b)**
01 FC:2001 385.00 OP
02 FC:2051 65.00 OP ***Filing Date Granted***
03 FC:2202 27.00 OP

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 1-16.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$27** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$477** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$27**
 - **\$27** for 3 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Meagan W
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE